

District II Advisory Board Minutes

April 3, 2006

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The District II Advisory Board meeting was held at 7:00 p.m. at the Rockwell Branch Library, 5939 E. 9th Street North. Nine board members, five staff and approximately ten citizens were in attendance. Only those individuals who signed in are listed as guests below.

Members Present

Daryl Crotts
Sarah Devries
Larry Frutiger
Joe Johnson
David Mollhagen
Phil Ryan
Kaci Tucker*
Council Member Sue Schlapp

*Youth Representatives

Members Absent

Ray Frederick
Marty Weeks
Tim Goodpasture
Brian Carduff
Matt Hesse
Dane Saksa*

Staff Present

LaShonda Porter, Neighborhood Assistant
Sergeant Wolf, Police Patrol East
John D'Angelo, Division of Arts & Culture
Dale Miller, MAPD
Tim Martz, Parks & Recreation

Guests

Listed on the last page

ORDER OF BUSINESS

CALL TO ORDER

The meeting was called to order at 7:24 p.m.

APPROVAL OF MINUTES AND AGENDA

The meeting agenda for April 3, 2006 was approved as submitted (**Crotts:Ryan, 8-0**)

The meeting minutes for March 6, 2006 were approved as submitted (**Crotts:Ryan, 8-0**)

PUBLIC AGENDA

1. Scheduled items

Interfaith Ministries “Ministries & Lay” Rick Cline presented information in regards to homelessness in Wichita. Statistics say there are approximately 740 homeless in Wichita; however, Wichita only has 300 beds in the homeless shelters. On Sunday, April 2, 2006 a candlelight vigil was held at the Wichita Public Library downtown, where community leaders spoke about the need for a permanent shelter for the city's homeless population. The City Manager, County Manager, and the United Way are working together to establish a comprehensive plan for the City of Wichita.

Rick Cline also explained that the some of main reasons a person becomes homeless are:

- Loss of job, and no safety net is available
- No insurance, serious illness, inability to pay bills
- Domestic violence and
- Mental illness

He also advised that at this time they were not seeking funds from the City, but wanted to provide awareness to the City of Wichita of this epidemic. The Board thanked Mr. Kline for his presentation.

Action Taken: Received and filed.

2. Off-agenda items

No items were submitted.

NEW BUSINESS

3. Community Police Report

Sergeant Wolf, Patrol East, provided insight on a crime that took place on the morning of April 3, 2006, a woman who has been arrested and charged was captured for burglarizing over 10 vehicles. The vehicles were broken into around the 7000 block of east Kellogg.

He mentions that there have been about a dozen cars broken into between February 2nd and March 18th; the suspects have been identified as 2 Hispanic males, however, they have not been captured. Citizens should also remember to never leave wallets, purses, and credit cards on the seat of the cars, if they must leave these items in the car, to lock them up in the trunk.

The construction, residential, non-residential and scrap metal burglaries; are still a high concern.

Sergeant Wolf also discussed the success of the cleanup at the northeast corner of Central and Webb. They had great citizen participation and they filled 2 skids and 2 packer trucks.

The last item, Sergeant Wolf discussed was the high accident locations. He reported that they are continually monitoring these areas and have given tickets as follows:

- Central & Rock – 34 tickets issued
- Kellogg & Webb – 20 tickets issued and
- Kellogg & Rock - 41 tickets issued.

The Board thanked **Sergeant Wolf** for his report.

Action Taken: Received and filed.

4. Parks and Recreation Update

Tim Martz, Parks & Recreation. At the last DAB meeting, the District Advisory Board felt that someone from Parks & Recreation should provide information on what their intents are with the land acquired at Central and Greenwich. Tim Martz provided the DAB with information in regards to the size of the area and also advised that the two surrounding homes will be vacated by June 15, 2006 and at that time more work and details could begin. He

opened the discussion up for suggestions on what the DAB would like to have done for the park. Some of the suggestions for the park are to have a community center, so that the DAB, Homeowner and Neighborhood Associations could hold their monthly meetings. Other suggestions were to have a sailboat or an airplane radio control area. It was also suggested that the DAB members visit the site to have a better idea of area, to better decided on the use of the land.

Tim Martz will also be invited to a District II Breakfast, so that he can inform and get feedback from the community on the use of the land. Tim will be invited to the breakfast in July or August. The Board thanked **Tim Martz** for his presentation.

Action Taken: Receive and file.

5. Division of Arts & Culture

John D'Angelo, Arts & Culture, presented a proposed ordinance and changes to the application process for approving requests for use of public and/or private property for special events. The new ordinance and process would allow for a one-stop shop for citizens and eliminate the need for visits to multiple departments. He also advised that the proposed ordinance would address critical issues such as:

- Consistent review and approval process
- Increased code compliance
- Increased safety and security
- Greater consideration for residential area surrounding property requested for use (noise, lighting, and property access)

The ordinance will also create a new one-day event fee package of \$75.00, which includes

- Banner/Sign Permits
- Tent/Canopy Permit
- Transient Merchant License
- Cabaret License
- Outdoor Dance License
- Walk/Run Marathon Permit
- Additional License Available

Other fees will need to be paid from a menu system as to the specific needs of each event

The issuance of a community event permit does not include rental fees that may be required.

The Board was concerned with a few issues with the new ordinance:

Q: Is there an emergency permit that citizens could apply for?

R: At this time there was not such a permit, as we want to ensure that the other departments (Police, Fire, etc.) have enough time to review and approve the permit, but will look into to see if this is something that can be added.

Q: Does the ordinance require that a community event be some many feet away from adult entertainment (i.e. adult bookstores, liquor stores, etc.)

R: This is not apart of the ordinance today, but will take back for review.

Action Taken: The Board recommended approval with the recommended changes implemented, the provision for the community event to be so many feet away from adult entertainment, as well as considering an emergency permit.

6. ZON 2006-0013 and CON 2006-00007

Daler Miller, MAPD, discussed the amendment to Protective Overlay #136 to remove “car wash” from a list of prohibited uses, and approval of a car wash at the southwest corner of Central and Ellson. He explained that MAPD denied the request due to the protective overlay being so recent - December 14, 2004. The recommendation for the request being denied was based on the following findings in addition to the date of the Protective Overlay:

1. The zoning, uses and character of the neighborhood: The land to the south and west is zoned “LC” Limited Commercial, but with restricted uses including car wash. Land to the north is zoned both “SF-5” Single-family Residential and “LC.” Land to the east and further south is “SF-5” and “TF-3” Two-family Residential. At this point, Ellson is the dividing line between residential zoning and non-residential uses on the south side of Central Avenue.
2. The suitability of the subject property for the uses to which it has been restricted: The site’s zoning permits a wide variety of uses permitted by the “LC” Limited Commercial zoning district, providing the site with economically viable uses as zoned.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval would permit a use that operates on a 24-hour a day, seven days a week basis capable of generating noise not usually present in the overnight hours. Such uses, if not properly operated, can create detrimental effects for surrounding properties.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: If denied, the applicant could presumably find an alternate location for this use. Approval would provide additional car washing services in this general area.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Comprehensive Plan map depicts this site as appropriate for local serving commercial uses. Commercial and Office land use strategies state that highway-oriented uses, outdoor sales and non-retail commercial uses should be confined to highway corridors, and established urban areas containing similar concentrations of uses.
6. Impact of the proposed development on community facilities:

Jim Volk, provided details on how he maintains his existing car wash, trying to exemplify to the DAB members that the property will be taken care of and it would definitely not impair the community since of pride. Jim provided a usage report of the current car wash to illustrate that the traffic will be at a minimum, as well as to show that the highest traffic times would be on Saturday between 11 a.m. – 7:00 p.m. This information was provided to show that the car wash would not create an abundance of traffic in the area. He explained that process for the residue from the water would not pollute the well water, as the water goes through several processes before it goes to the storm sewer. In addition, he answered questions on landscaping, buffers, and the number of entrances into the car wash.

DAB Members, were concerned that sufficient notice was not given to the public. Preferring to see more support from neighbors in the residential area. They are concerned that if the property is sold to another owner, will he/she have the same due diligence to maintain the property as the current owner. They were also concerned with the timing of the issuance of the Protective Overlay # 136, and did not want to overturn that decision.

Action Taken: Accept the staff recommendation to deny the amendment to the Protective Overlay # 136. (**Frutiger:Devries, 8-0**)

Other Business

- District 2 breakfast was held last week and went very well, with about 20 people attending. CM Schlapp is interested in finding a new location, so that we are able to have a private meeting room.

7. Updates, Issues, and Reports

No items were submitted.

With no further business, the meeting adjourned at 8:32 p.m.

The next DAB II meeting **will be May 1, 2006** at the Rockwell Branch Library.

Guests

Rick Cline	225 N. Waco
Rich Hanley	829 N. Market
Larry Ross	